

To: **Planning Commission**
Through: **Ben Boike, Community Development Director**
From: **Melissa Houtsma, City Planner**
Date: **May 16, 2023**

PC Case 23-07 - Conditional Use Permit to Allow a Mixed-Use Residential/Commercial Building at 120 Butler Avenue East

REQUEST:

Matt Kuntz, of EK Equities LLC, is requesting a conditional use permit to allow a mixed-use residential/commercial building at 120 Butler Avenue East. Still home to Raddatz Dance Studio, EK Equities is looking to rent out the currently vacant third floor of the building as an apartment.

ATTACHMENTS:

Application and Public Notice
Staff Presentation
Draft Resolution



SURROUNDING LAND USES AND ZONING:

	Land Use	Zoning
Subject Property	Commercial	B3 – General Business
Properties to North	Residential & Commercial (<i>Dairy Queen & Single Family Homes</i>)	B3 – General Business & R1 – Single Family Residential
Properties to East	Commercial (<i>Wolff Chiropractic</i>)	B3 – General Business
Properties to South	Commercial (<i>Dance Studio and Wakota Shared Parking</i>)	B3 – General Business
Properties to West	Commercial (<i>Former Dulce Mex Candy Store</i>)	B3 – General Business

ANALYSIS:

Zoning Ordinance

Section 153.156(C), states that within the B2 – Neighborhood Business district, no structure or land shall be used for one or more of the following uses except by conditional use permit,

(C) – Mixed use residential/commercial

Most permitted and conditional uses from the B2 district are permitted and conditional in the B3 district, unless otherwise specifically noted in the code.

PROPOSAL:

Previously, the owner of Raddatz Dance Studio lived and operated the business out of the building, with all of the first floor and the majority of the second floor being utilized for the dance studio with the remaining portion of the second floor in addition to the third floor serving as her personal residence.

The proposal would allow the building to function much the same way, with the only difference being that the second and third floor living areas would be two apartments instead of one. The second floor living area is already serving as a functioning apartment while the third floor remains vacant and unoccupied. Once some remodeling is completed, the unit would then go up for rent.

Dance Classes and Hours of Operation

Dance classes are offered Monday through Friday from 4:00 pm to 9:00 pm between the months of September and May. Classes are typically between 30-45 minutes each and in total the property hosts about 100 students over the 5 hour period. This will remain unchanged by this application.

Dance Studio Hours

Monday - Friday (<i>September - May</i>)	4:00 pm – 9:00 pm
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Employees

In total the dance studio has approximately 15 employees, with 5 on site at one time when classes are being held. These numbers are not expected to change as a part of this application.

Building Layout

The footprint of the building is just under 3,400 square feet, which extends upward for the first and second level, with the third level being smaller at just under 1,300 square feet. The dance studio will occupy all of the first level and the majority of the second level, with the remaining area being apartments. The application includes a preliminary layout for the third floor apartment.

First Floor	Second Floor	Third Floor
3,392 sq. ft. 100% dance studio	2,112 sq. ft. / 1,280 sq. ft. 62% dance studio / 38% apartment	1,280 sq. ft. 100% apartment (<i>proposed</i>)

Parking

The site offers 21 parking stalls owned by EK Equities, as well as a shared parking/cross access agreement to also utilize the additional 16 parking stalls for the Wakota building as the two uses varying peak hours.

Per § 153.348 (D) of the zoning code, the two apartments require a total of three parking stall (1.5 stall per unit for studio/one/two bedroom units). Per § 153.348 (E) of the zoning code, the site qualifies for a 50% reduction in minimum parking stalls.

Parking requirements breakdown

- Apartments with studio, one, and two bedrooms – 1.5 stalls/unit
 - Two one-bedroom apartments = 3 stalls
- Community center/health club – 10 stall minimum + 1 stall/300 sq. ft. over 2,000 sq. ft.
 - Dance studio - 5,504 sq. ft. – 10 stalls + $3,504/300 = 10 + 12$ stalls = 22 stalls
 - With 50% parking reduction allowance – 5 stalls minimum + 1 stall/600 sq. ft. over 2,000 sq. ft.
 - $5,504 \text{ sq. ft.} - 5 \text{ stalls} + 3,504/600 = 5 + 6 = 11$ stalls
- Total required (with 50% reduction) – 14 stalls

While the code does not include a minimum parking requirement for dance studios, city staff believes it is comparable to the requirements for a health club based on the similar frequency of users coming and going from the site. As demonstrated with the numbers above, the site provides sufficient parking for the existing and proposed uses. The proposed use only requires 1.5 stalls by itself and therefore has little effect on the parking of the site as a whole.

Rental License

Staff is recommending a condition of approval that the applicant obtain a rental license for the unit prior to renting and continue to abide by §150 as it relates to rental dwellings and the necessary licensing.

STAFF RECOMMENDATION:

Staff recommends the APPROVAL of the Conditional Use Permit to allow a mixed-use residential/commercial building in a B3 – General Business district at 120 Butler Avenue East, subject to the following conditions:

1. The applicant shall apply for and obtain all applicable building and sign permits with the City of West St. Paul, and
2. The property owner shall apply for and obtain a rental license for the unit prior to renting and shall abide by City Code Chapter 150 as it relates to rental dwellings and proper licensing.